

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ARRIVALSTAR S.A., et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 11 C 8173
)	
SATELLITE MONITORING AND REMOTE)	
TRACKING, INC., et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Arrivalstar S.A. and Melvino Technologies, Ltd. (collectively "ArrivalStar") have brought this patent infringement Complaint, assigned at random to this Court's calendar. This is this Court's second encounter with ArrivalStar during the past several months--on July 27, 2011 it issued a memorandum opinion and order ("Opinion") in ArrivalStar v. Geo-Comm, Inc., Case No. 11 C 5016, that expressed serious doubts as to the propriety of Arrival Star's pursuit of that infringement action in this judicial district.

Both plaintiff corporations are literally foreign corporations, one organized under the laws of Luxembourg and having its offices there and the other organized and having its offices in the British Virgin Islands. Both corporate defendants are New Jersey corporations with their shared principal place of business in Lakehurst, New Jersey.¹

¹ In Geo-Comm the target infringer's corporate citizenship was in Minnesota--but of course the operative principles as to

Why then is this lawsuit filed here in Illinois? This Court is of course totally familiar with the venue provisions that ArrivalStar seeks to invoke--the general standard in 28 U.S.C. §1391(a) and the patent-specific provision of 28 U.S.C. §1400(b). What this Court wrote in the Opinion might just as well have been written for this case. Apparently ArrivalStar got the message as to this Court's view that a Northern District of Illinois filing smacked of forum-shopping, for it dismissed the Geo-Comm action without prejudice shortly after issuance of the Opinion.

In any event, this Court will eschew its usual initial scheduling order, instead setting a very early status hearing for 8:45 a.m. December 1, 2011. It awaits ArrivalStar's counsel's explanation at that time.



Milton I. Shadur
Senior United States District Judge

Date: November 28, 2011

venue were exactly the same as in this case.